

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**PETITION FOR TEMPORARY TRANSFER
OF WATER/WATER RIGHTS**

(Water Code 1725)

☐ Point of Diversion ☐ Point of Rediversion ☐ Place of Use ☐ Purpose of Use

Application No(s)._____ Permit No._____ License No._____

Statement or Other No._____

Present Holder and User of Water Right

Person or Company name	Contact person	Telephone No.
Address	City	State
		Zip Code
E-MAIL (For noticing purposes)		

Co-petitioner

Person or Company name	Contact person	Telephone No.
Address	City	State
		Zip Code
E-MAIL (For noticing purposes)		

Proposed New User

Person or Company name	Contact person	Telephone No.
Address	City	State
		Zip Code
E-MAIL (For noticing purposes)		

I (We) hereby petition the State Water Resources Control Board (State Water Board) under the provisions of Water Code (WC) section 1725 et seq. and in conformance with the specific requirements of California Code of Regulations (CCR) section 794 for temporary change(s) to the water right application(s) noted above for the purpose of transferring water. The changes are **shown on the accompanying map and described as follows:**

Amount of Water to be Transferred _____ Acre-feet (AF). If the basis of right is direct diversion, the average rate of diversion for the maximum 30 day period of use is _____ cubic feet per second (cfs).

Period of Transfer/Exchange (Not to exceed one year)

Point of Diversion or Rediversion (Give coordinate distances from section corner or other ties as allowed by CCR section 715, and the 40-acre subdivision in which the present & proposed points lie.

Present _____
Proposed _____

Place of Use

Present _____
Proposed _____

Purpose of Use

Present _____
Proposed _____

	<i>Season of Use</i>	<i>Direct Use (cfs)</i>	<i>Storage (ac-ft)</i>
Present	_____	_____	_____
Proposed	_____	_____	_____

The proposed transfer/exchange water is presently used or stored within the county/counties of:

The proposed transfer/exchange water will be placed to beneficial use within the following county/counties:

- 1a. Would the transfer/exchange water have been consumptively used or stored in the absence of the proposed temporary change (See WC 1725)? _____
(yes/no)
- 1b. Provide an analysis which provides documentation that the amount of water to be transferred/exchanged would have been consumptively used or stored in the absence of the proposed temporary change.
- 2a. If the point of diversion/diversion is being changed, are there any person(s) taking water from the stream between the present point of diversion/diversion and the proposed point? _____
(yes/no)
- 2b. Are there any persons taking water from the stream between the present point of diversion or return flow and the proposed point of diversion or return flow? _____
(yes/no)
- 2c. If the answer to 2a. or 2b. is yes, provide the name and address. Also provide the name and address of other persons known to you who may be affected by the proposed change.
- | | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
- 3a. Provide an analysis of any changes in streamflow, water quality, timing of diversion or use, return flows, or effects on legal users resulting from the proposed transfer/exchange. _____
- 3b. State reasons you believe the proposed temporary change will not injure any legal user of the water, see Water Code Section 1727 (b)(1). _____
4. Consult with staff of the applicable Regional Water Quality Control Board concerning the proposed temporary change. State the name and phone number of person(s) contacted. Summarize their opinion concerning compliance with CCR 794(b) and any Regional Board requirements. _____
- 5a. Consult with the California Department of Fish and Game pursuant to CCR 794(b) concerning the proposed temporary change. State the name and phone number of the person(s) contacted and their opinion concerning the potential effect(s) of the proposed temporary change on fish, wildlife, or other instream beneficial uses, and state any measures recommended for mitigation. _____

- 5b. Does the proposed use serve to preserve or enhance wetlands habitat, fish and wildlife resources, or recreation in or on the water (See WC 1707) ? _____
(yes/no)
- 5c. Provide an analysis of potential effect(s) on fish, wildlife, or other instream beneficial uses which may arise from the proposed change. _____

- 5d. State reasons you believe the proposed temporary change will not unreasonably affect fish, wildlife, or other instream beneficial uses, see Water Code Section 1727 (b)(2). _____

- 6a. Does any agency involved in the proposed transfer/exchange rely upon section 382 of the Water Code to allow the delivery of water outside of the agency's service area? _____
(yes/no)?
- 6b. If yes, provide an analysis of the effect of the proposed transfer/ exchange on the overall economy of the area from which the water is being transferred. _____

A TRANSFER/EXCHANGE UNDER WATER CODE SECTION 1725 INVOLVES ONLY THE AMOUNT OF WATER WHICH WOULD HAVE BEEN CONSUMPTIVELY USED OR STORED IN THE ABSENCE OF THE PROPOSED TEMPORARY CHANGE. A CHANGE WILL BE EFFECTIVE FOR A PERIOD OF ONE YEAR OR LESS, BEGINNING ON THE APPROVAL OF THIS PETITION OR ON SUCH DATE OTHERWISE SPECIFIED BY THE SWRCB ORDER. FOLLOWING EXPIRATION OF THIS TEMPORARY CHANGE, ALL RIGHTS AUTOMATICALLY REVERT TO THE PRESENT HOLDER BY OPERATION OF LAW.

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated: _____ at _____, California

Signature(s) () Telephone No.

NOTE: This petition shall be accompanied by all information and fees required by this form and W.C. Section 1725 et. seq, before the SWRCB will consider acceptance of the petition requesting a temporary change to facilitate a transfer/exchange.

Proof of Service: Compliance with W.C. section 1726(c) shall be met by the filing of copies of the proof of service to the Department of Fish and Game and to the board of supervisors of the counties where the water is currently used and the counties to which water is proposed to be transferred.

Fees: The following fees must accompany the petition before the petition will be accepted:

1. A minimum filing fee of \$100, for each application listed in the petition, shall be submitted with the petition (Water Code section 1547). The fee is made payable to the State Water Resources Control Board.
 - a) Water Code section 1547.1 requires an additionally fee of 25% of the amount computed by using the fee schedule in Article 1 (commencing with Water Code section 1525) for use of water outside of the basin from which the water transfer originates. The fee is based on that portion of water transferred under the existing direct diversion or storage right(s) for each application identified in the petition. For direct diversion rights, the rate is typically computed based on the average rate of diversion (cfs) for the maximum 30-day period of use (AF).
 - b) If the petitioner relies on Water Code section 382, the total filing fee shall be based on the amount necessary to cover the reasonable costs of the SWRCB to evaluate and process the petition (Water Code section 386). Please contact the Division if you would like an estimate of the potential cost.
2. An \$850 environmental filing fee, made payable to the Department of Fish and Game, must accompany a petition for change (Public Resources Code 10005).

INFORMATION REGARDING FILING FEES FOR TEMPORARY TRANSFERS

INITIAL FILING FEE

Initial filing fee = \$100 X (number of Applications)

IN BASIN WATER RIGHT TRANSFER FEE

No Additional Fee

OUT OF BASIN WATER RIGHT TRANSFER FEE

OUT OF BASIN TRANSFER FEE = 25% of the direct diversion and/or storage fee calculated below.

For direct diversion water rights: each cubic foot per second (cfs) or fractional cfs rounded up to the next whole cfs to be transferred shall be assessed the following fees:

from 0 to 100 cfs	_____ cfs	@ \$10.00 each
over 100 to 500 cfs	_____ cfs	@ \$12.00 each
over 500 to 2,000 cfs	_____ cfs	@ \$15.00 each
over 2,000 cfs	_____ cfs	@ \$20.00 each

Where the amount to be transferred is identified in acre-feet, the rate of diversion 'cfs' shall be computed based on the average rate of direct diversion for the maximum 30-day period of use in which water is either developed or transferred, which ever is greater.

Example: If the amount of the water right is 6 cfs, by direct diversion from May 1 through October 31: and, the amount to be transferred will be 1,500 acre-feet (af) for the year; and, the maximum amount of water delivered is 300 af during July;

The fee is based on : $\frac{300 \text{ af}}{30 \text{ days}} \cdot \frac{1}{1.98 \text{ af/cfs}} = 5.05 \text{ cfs}$, which rounds up to 6 cfs

Out of Basin Direct Diversion Fee = 6 CFS X \$100.00/cfs X (number of applications)

For storage water rights: each acre-foot (af) or fractional af, rounded up to the next whole af of storage to be transferred shall be assessed the following fees:

from 0 to 1,000 afa	_____ afa	@ \$0.10 each
over 1,000 to 5,000 afa	_____ afa	@ \$0.12 each
over 5,000 to 100,000 afa	_____ afa	@ \$0.15 each
over 100,000 afa	_____ afa	@ \$0.20 each

Example: If the amount of the water right is 100 acre-feet (af) of storage; and, the amount to be transferred will be 50 af of storage;

The fee is based on: 50 af

Out of Basin Storage Fee = 50 af X \$0.10/af X (number of applications)